

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of application Serial No. 75/662,006
For the Trademark ORALMAX & design
Published in the Official Gazette on August 28, 2001 at TM 600

GILLETTE CANADA COMPANY
dba ORAL-B LABORATORIES,

Opposer,

v.

ROBIN RESEARCH LABORATORIES, INC.

Applicant.

Opposition No. 124,984

05-03-2004

U.S. Patent & TMO/c/TM Mail Rcpt Dt. #22

OPPOSER'S NOTICE OF RELIANCE

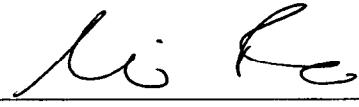
Opposer, pursuant to Rule 2.122(d)(2) of the Trademark Rules of Practice, hereby notices its reliance on the following United States Trademark Registrations and requests that they be made of evidence in support of the opposition herein.

ORAL-B	Reg. No. 1,608,762
ORAL-B	Reg. No. 1,502,752
ORAL-B	Reg. No. 1,501,858
ORAL-B	Reg. No. 1,197,304
ORAL-B	Reg. No. 1,106,587
ORAL-B	Reg. No. 1,502,069
ORAL-B	Reg. No. 547,130
ORAL-B	Reg. No. 2,084,928

Certified copies of the registrations showing title and status are submitted herewith.

Dated: Boston, Massachusetts
April 28, 2004

GILLETTE CANADA COMPANY
dba ORAL-B LABORATORIES

By: 
Michelle Brownlee
Attorney for Opposer
Prudential Tower Building
Boston, Massachusetts 02199

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of Opposer's Notice Of Filing Of Trial Testimony Transcript And Exhibits Pursuant To 37 C.F.R. § 2.125(c) is being served today, April 28, 2004, by first class mail, postage prepaid, upon the Applicant's attorney of record, James Pacious, Esq., Collier Shannon Scott, Washington Harbour, Suite 400, 3050 K Street, N.W., Washington, D.C. 20007-5108.



Michelle Brownlee

4/28/04

Date

37 C.F.R. § 1.8 Certificate of Mailing:

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid in an envelope addressed to: Commissioner for Trademarks 2900 Crystal Drive, Arlington, VA 22202-3513, Box TTAB – No Fee



(Name)

4/28/04

(Date)



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

April 23, 2004

**THE ATTACHED U.S. TRADEMARK REGISTRATION 1,608,762 IS
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 10 YEARS FROM *August 07, 1990*
1st RENEWAL FOR A TERM OF 10 YEARS FROM *August 07, 2000*
SECTION 8 & 15**

SAID RECORDS SHOW TITLE TO BE IN:

***GILLETTE CANADA COMPANY,
A NOVA SCOTIA CORPORATION***

**By Authority of the
COMMISSIONER OF PATENTS AND TRADEMARKS**



N. Woodson
N. WOODSON
Certifying Officer

Int. Cls.: 3, 5, 10 and 21

Prior U.S. Cls.: 18, 29, 44, 51 and 52

United States Patent and Trademark Office

Reg. No. 1,608,762

Registered Aug. 7, 1990

**TRADEMARK
PRINCIPAL REGISTER**



GILLETTE CANADA INC. (CANADA CORPORATION), DBA ORAL-B LABORATORIES
ONE LAGOON DRIVE
REDWOOD CITY, CA 94065

FOR: DENTIFRICE; DENTAL PROPHYLAXIS PREPARATIONS - NAMELY, NON-MEDICATED MOUTHWASH, IN CLASS 3 (U.S. CLS. 51 AND 52).

FIRST USE 3-24-1986; IN COMMERCE 3-24-1986.

FOR: MEDICATED MOUTH RINSE PREPARATION, TOPICAL FLUORIDE GELS FOR APPLICATION TO THE TEETH, DENTAL AMALGAM, IN CLASS 5 (U.S. CLS. 18 AND 44).

FIRST USE 9-24-1986; IN COMMERCE 9-24-1986.

FOR: DENTAL FLOSS, DISPOSABLE TRAYS FOR TOPICAL APPLICATION OF DENTAL MEDICATIONS, IN CLASS 10 (U.S. CL. 44).

FIRST USE 9-24-1986; IN COMMERCE 9-24-1986.

FOR: TOOTHBRUSHES, DENTURE BRUSHES, INTERDENTAL BRUSHES, IN CLASS 21 (U.S. CL. 29).

FIRST USE 5-16-1986; IN COMMERCE 5-16-1986.

OWNER OF U.S. REG. NOS. 547,130, 1,548,836 AND OTHERS.

SER. NO. 74-006,393, FILED 11-30-1989.

DEMETRA MILLS, EXAMINING ATTORNEY



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

April 23, 2004

**THE ATTACHED U.S. TRADEMARK REGISTRATION 1,502,752 IS
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PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 20 YEARS FROM *September 06, 1988*
SECTION 8 & 15**

SAID RECORDS SHOW TITLE TO BE IN:

***GILLETTE CANADA COMPANY, DBA ORAL - B LABORATORIES
A NOVIA SCOTIA CORPORATION***



**By Authority of the
COMMISSIONER OF PATENTS AND TRADEMARKS**


N. WILLIAMS

Certifying Officer

Int. Cl.: 3

Prior U.S. Cl.: 51

United States Patent and Trademark Office

Reg. No. 1,502,752

Registered Sep. 6, 1988

**TRADEMARK
PRINCIPAL REGISTER**

ORAL-B

GILLETE CANADA INC. (CANADA CORPORATION), DBA ORAL-B LABORATORIES
5450 COTE DE LIESSE ROAD
MONTREAL, QUEBEC, CANADA H4P 1A7

FIRST USE 5-31-1982; IN COMMERCE
5-31-1982.

OWNER OF U.S. REG. NOS. 547,130, 1,106,587,
AND 1,197,304.

SER. NO. 667,364, FILED 6-19-1987.

FOR: TOOTHPASTE AND DENTAL PRO-
PHYLAXIS PREPARATION, IN CLASS 3 (U.S.
CL. 51).

MICHELLE S. WISEMAN, EXAMINING AT-
TORNEY



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

April 23, 2004

**THE ATTACHED U.S. TRADEMARK REGISTRATION 1,501,858 IS
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THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 20 YEARS FROM *August 30, 1988*
SECTION 8 & 15**

SAID RECORDS SHOW TITLE TO BE IN:

GILLETTE CANADA INC.

A NOVA SCOTIA CORPORATION

**By Authority of the
COMMISSIONER OF PATENTS AND TRADEMARKS**




N. WOODSON
Certifying Officer

Int. Cl.: 5

Prior U.S. Cl.: 18

United States Patent and Trademark Office **Reg. No. 1,501,858**
Registered Aug. 30, 1988

TRADEMARK
PRINCIPAL REGISTER

ORAL-B

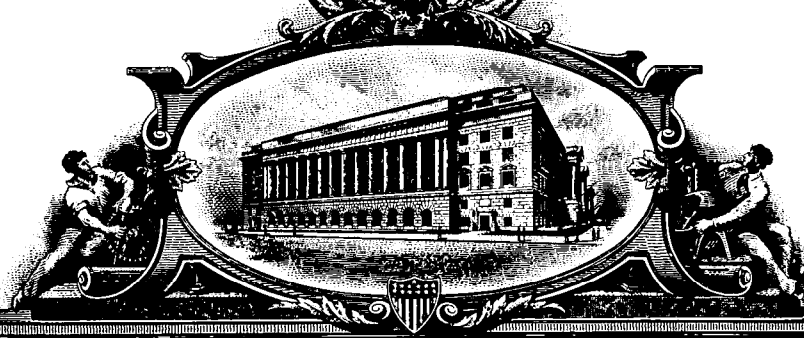
GILLETTE CANADA INC. (CANADA CORPORATION), DBA ORAL-B LABORATORIES
ONE LAGOON DRIVE
REDWOOD CITY, CA 94065

FOR: TOPICAL FLUORIDE GELS FOR APPLICATION TO THE TEETH, MEDICATED MOUTHRINSE PREPARATIONS AND DENTAL AMALGAM, IN CLASS 5 (U.S. CL. 18).

FIRST USE 5-31-1981; IN COMMERCE 5-31-1981.
OWNER OF U.S. REG. NOS. 547,130, 1,106,587, AND 1,197,304.

SER. NO. 667,581, FILED 6-22-1987.

MICHELLE S. WISEMAN, EXAMINING ATTORNEY



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

April 23, 2004

**THE ATTACHED U.S. TRADEMARK REGISTRATION 1,197,304 IS
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND
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THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 20 YEARS FROM *June 08, 1982*
1st RENEWAL FOR A TERM OF 10 YEARS FROM *June 08, 2002*
SECTION 8 & 15**

SAID RECORDS SHOW TITLE TO BE IN:

GILLETTE CANADA COMPANY.

A NOVA SCOTIA CORPORATION

**By Authority of the
COMMISSIONER OF PATENTS AND TRADEMARKS**




N. WOODSON
Certifying Officer

Int. Cl.: 21

Prior U.S. Cl.: 29

United States Patent and Trademark Office

Reg. No. 1,197,304

Registered Jun. 8, 1982

TRADEMARK
Principal Register

Oral-B

Cooper Laboratories, Inc. (Delaware corporation)
3145 Porter Dr.
Palo Alto, Calif. 94304

For: TOOTHBRUSHES, in CLASS 21 (U.S. Cl. 29).

First use Jun. 15, 1972; in commerce Jun. 15, 1972.

Owner of U.S. Reg. Nos. 547,130, 1,032,727 and 1,106,587.

Ser. No. 305,397, filed Apr. 13, 1981.

C. A. SIDOTI, Primary Examiner



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

April 23, 2004

**THE ATTACHED U.S. TRADEMARK REGISTRATION 1,106,587 IS
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND
EFFECT WITH NOTATIONS OF ALL STATUTORY ACTIONS TAKEN
THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 20 YEARS FROM *November 21, 1978*
1st RENEWAL FOR A TERM OF 10 YEARS FROM *November 21, 1998*
SECTION 8 & 15**


SAID RECORDS SHOW TITLE TO BE IN:

GILLETTE CANADA COMPANY.

A NOVA SCOTIA CORPORATION

**By Authority of the
COMMISSIONER OF PATENTS AND TRADEMARKS**




N. WOODSON
Certifying Officer

Int. Cl.: 10

Prior U.S. Cl.: 44

United States Patent and Trademark Office

Reg. No. 1,106,587

Registered Nov. 21, 1978

TRADEMARK

Principal Register

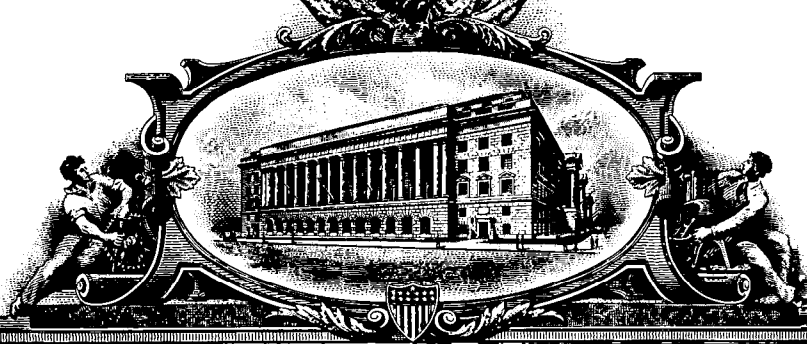


Cooper Laboratories, Inc. (Delaware corporation)
1259 Route 46
Parsippany, N.J. 07054

For: DENTAL FLOSS DISPENSERS AND DENTAL
FLOSS, in CLASS 10 (U.S. CL. 44).
First use May 2, 1977; in commerce May 2, 1977.
Owner of Reg. Nos. 547,130, 994,348, and 1,032,727.

Ser. No. 131,029, filed June 20, 1977.

M. E. BODSON, Examiner



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

April 23, 2004

**THE ATTACHED U.S. TRADEMARK REGISTRATION 1,502,069 IS
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THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 20 YEARS FROM *August 30, 1988*
SECTION 8 & 15**

SAID RECORDS SHOW TITLE TO BE IN:

***GILLETTE CANADA COMPANY, DBA ORAL-B LABORATORIES
A NOVA SCOTIA CORP.***



**By Authority of the
COMMISSIONER OF PATENTS AND TRADEMARKS**

T. Wallace
T. WALLACE
Certifying Officer

Int. Cl.: 10

Prior U.S. Cl.: 44

United States Patent and Trademark Office **Reg. No. 1,502,069**
Registered Aug. 30, 1988

**TRADEMARK
PRINCIPAL REGISTER**

ORAL-B

GILLETTE CANADA INC. (CANADA CORPORATION), DBA ORAL-B LABORATORIES
5450 COTE DE LIESSE ROAD
MONTREAL, QUEBEC, CANADA H4P 1A7

FOR: DENTAL FLOSS AND TRAYS FOR
TOPICAL APPLICATION OF FLUORIDE COM-
POSITIONS AND OTHER PREPARATIONS TO
THE TEETH, IN CLASS 10 (U.S. CL. 44).

FIRST USE 5-2-1977; IN COMMERCE
5-2-1977.

OWNER OF U.S. REG. NOS. 547,130, 1,106,587,
AND 1,197,304.

SER. NO. 667,652, FILED 6-22-1987.

MICHELLE S. WISEMAN, EXAMINING AT-
TORNEY



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

April 23, 2004

**THE ATTACHED U.S. TRADEMARK REGISTRATION 547,130 IS
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND
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THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.**

**REGISTERED FOR A TERM OF 20 YEARS FROM *August 28, 1951*
3rd RENEWAL FOR A TERM OF 10 YEARS FROM *August 28, 2001*
SECTION 8 & 15**

SAID RECORDS SHOW TITLE TO BE IN:

***GILLETTE CANADA COMPANY.
A NOVA SCOTIA CORPORATION***

**By Authority of the
COMMISSIONER OF PATENTS AND TRADEMARKS**



N. Woodson
N. WOODSON
Certifying Officer

Registered Aug. 28, 1951

Registration No. 547,130

PRINCIPAL REGISTER
Trade-Mark

UNITED STATES PATENT OFFICE

Oral B Company, Santa Clara, Calif.

Act of 1946

Application December 20, 1949, Serial No. 589,675

Oral B

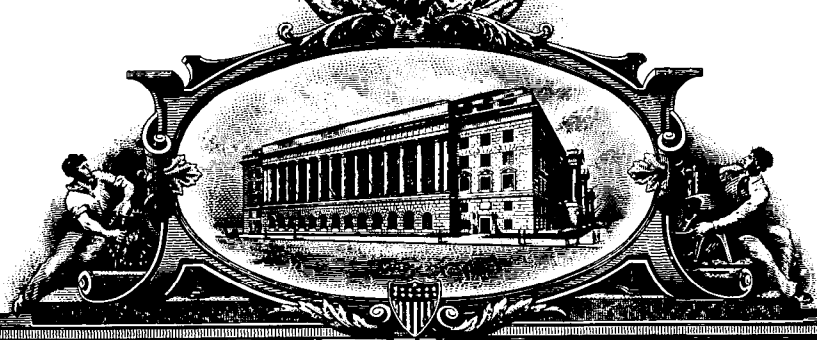
STATEMENT

Oral B Company, a firm domiciled in Santa Clara, California, doing business at 1373 Idaho Street, Santa Clara, California, and composed of the following members: Robert W. Hutson, Paul E. Bahr, and John Murphy, all citizens of the United States, has adopted and is using the trade-mark shown in the accompanying drawing, for TOOTHBRUSHES, in Class 29, Brooms, brushes, and dusters, and presents herewith five specimens showing the trade-mark as actually used in connection with such goods, the trade-mark being applied to the handle of the brushes by molding it thereon and being printed on a label

that is wrapped with the brush in a transparent package, and requests that the same be registered in the United States Patent Office on the Principal Register in accordance with the act of July 5, 1946.

The trade-mark was first used on January 22, 1949, and first used in commerce among the several States which may lawfully be regulated by Congress on May 19, 1949.

ORAL B COMPANY,
By ROBERT W. HUTSON,
Partner.



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

April 23, 2004

**THE ATTACHED U.S. TRADEMARK REGISTRATION 2,084,928 IS
CERTIFIED TO BE A TRUE COPY WHICH IS IN FULL FORCE AND
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THEREON AS DISCLOSED BY THE RECORDS OF THE UNITED STATES
PATENT AND TRADEMARK OFFICE.**

REGISTERED FOR A TERM OF 10 YEARS FROM *July 29, 1997*

SECTION 8 & 15

SAID RECORDS SHOW TITLE TO BE IN:

***GILLETTE CANADA COMPANY, DBA ORAL - B LABORATORIES
A NOVIA SCOTIA CORPORATION***



**By Authority of the
COMMISSIONER OF PATENTS AND TRADEMARKS**

N. Williams
N. WILLIAMS

Certifying Officer

Int. Cl.: 10

Prior U.S. Cls.: 26, 39, and 44

Reg. No. 2,084,928

United States Patent and Trademark Office

Registered July 29, 1997

**TRADEMARK
PRINCIPAL REGISTER**

ORAL-B

GILLETTE CANADA INC. (CANADA CORPORATION), DBA ORAL-B LABORATORIES,
16700 TRANS CANADA
KIRKLAND, QUEBEC H9H 4Y8, CANADA

OWNER OF U.S. REG. NOS. 1,106,587,
1,502,069, AND 1,608,762.

SN 75-059,034, FILED 2-16-1996.

FOR: PROPHY ANGLES, IN CLASS 10 (U.S.
CLS. 26, 39 AND 44).

FIRST USE 12-0-1995; IN COMMERCE
12-0-1995.

RONALD MCMORROW, EXAMINING ATTOR-
NEY

